

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
January 19, 2011

Mayor Matti Herrera Bower
Vice-Mayor Michael Góngora
Commissioner Jorge Exposito
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R5 - Ordinances

R5A Roofing Materials

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations", Article IV, "Supplementary District Regulations," Section 142-875 "Roof Replacements" To Modify And Expand The Requirements For Roofing Materials In All Districts; Providing For Repealer, Codification, Severability And An Effective Date. **10:20 a.m. Second Reading Public Hearing**

(Planning Department)

(First Reading on December 8, 2010)

R5B Lincoln Road Sign District

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 138, Entitled "Signs", By Amending Article V, Entitled "Sign Regulations By District", By Amending Section 138-173 To Modify The Requirements For The Lincoln Road Signage District; Providing For Inclusion In The City Code; Providing For Repealer, Severability And An Effective Date. **10:25 a.m. Second Reading Public Hearing**

(Planning Department)

(First Reading on December 8, 2010)

R5 - Ordinances (Continued)

- R5C An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, "Traffic And Vehicles," Article II, "Metered Parking," Division 1, "Generally" Section 106-55 (h)(2), "Permanent Parking Space Removal" To Amend The Criteria And Procedure For Permanent Parking Space Or Loading Zone Removal, Providing For Codification, Repealer, Severability And An Effective Date.

10:30 a.m. Second Reading Public Hearing

(Parking Department)
(First Reading on December 8, 2010)

- R5D Alton Road Historic District Buffer Overlay
An Ordinance Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road - Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," And Section 142-859 "Development Regulations,: Including Among Other Provisions Regulations On Maximum Floor Area Ratio; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverage Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess Of 20,000 Sq. Ft.; And Prohibiting Alcoholic Beverage And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance.

11:00 a.m. First Reading Public Hearing.

(Planning Department)
(Continued from November 17, 2010)

- R5E 40th Street Religious Overlay District
An Ordinance Amending The City Code, By Amending Chapter 114 Of The City Code, "Zoning Districts And Regulations," Section 114-1, "Definitions," Defining "Religious Institution"; Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8, "40th Street Overlay," And By Adding Sections 142-858 "Location And Purpose," 142-859 "Compliance With Regulations," Requiring Conditional Use Approval For Religious Institutions In The 40th Street Overlay District, And 142-860 "Off-Street Parking Regulations," And Amending Article II, "District Regulations," Division 2 "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," Section 142-103 "Conditional Uses," To Add Religious Institutions As A Conditional Use For Properties In The 40th Street Overlay District; And Amending Article IV, "Supplementary District Regulations," Division 4 "Supplementary Yard Regulations," Section 142-1131(D) "Generally," To Exempt Properties In The 40th Street Overlay District From Additional 50 Feet Minimum Side Yard Requirement For Public And Semi-Public Buildings; And Amending Chapter 118 Of The City Code, "Administration And Review Procedures," Article IV, "Conditional Use Procedures," Section 118-192, "Review Guidelines," To Add Review Criteria For Religious Institutions; Providing For Codification; Repealer; Severability; And An Effective Date. **11:15 a.m. Second Reading Public Hearing**

(Planning Department)
(Continue from December 8, 2010)

R5 - Ordinances (Continued)

- R5F Allow Low Impact Car Washing And Detailing In The C-PS2 Zoning District
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article II "District Regulations," Division 18 "PS Performance Standard District," Amending Section 142-693 "Permitted Uses," By Permitting Low Impact Car Washing And Auto Detailing In The CPS-2 District, When Completely Contained Within A Parking Garage Structure, And Not Visible From The Street Or Public Right-Of-Way; Providing For Repealer, Codification, Severability And An Effective Date. **5:00 p.m. Second Reading Public Hearing**
(Planning Department)
(First Reading Public Hearing on December 8, 2010)
- R5G An Ordinance Amending Chapter 70 Of The Miami Beach City Code Entitled "Miscellaneous Offenses"; By Amending Article III, Entitled "Graffiti"; By Amending Division I, Entitled "Generally"; By Amending Section 70-126, Entitled "Responsibility Of Property Owner(s) To Remove Graffiti; Graffiti Removal And Notice; Enforcement" By Amending The Responsibilities Of Property Owners With Regard To The Abatement Of Graffiti And Amending Enforcement Provisions; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**
(Building & Code Compliance)
- R5H Alton Road Parking District No. 5
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130 Off-Street Parking, Article II "Districts; Requirements," Section 130-31 "Parking Districts Established," Creating A New Parking District No. 5, And Section 130-33 "Off-Street Parking Requirements For Parking Districts Nos. 2, 3 And 4," By Adding New Parking Regulations For Parking District No. 5, For Properties With A Lot Line On Alton Road From 5th Street To Dade Boulevard, Including A Reduction In Off-Street Parking Requirements For Certain Land Uses And Bicycle Parking Requirements; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**
(Planning Department)
(Deferred from November 17, 2010)
- R5I An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-47, Entitled "Freight, Commercial, And Passenger Curb Loading Zones; Hours, Deliveries" By Amending Commercial Delivery Regulations And Providing Relief To Residential Areas In Close Proximity To Commercial Operations With Late Hour Deliveries And Similar Habitual Sources Of Noise; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading**
(Parking Department)
- R5J An Ordinance Amending Chapter 2 Of The Miami Beach City Code, Entitled "Administration," By Amending Article III Thereof, Entitled "Agencies, Boards, And Committees," By Amending Division 9 Thereof, Entitled "Health Advisory Committee," By Amending Section 2-81(d), Entitled "Composition," By Amending The Membership Of The Board To Eliminate A Member From The South Shore Hospital And Providing Under A New Subsection (D)(8) For Another Board Member Which May Be A Physician Or A Private Individual; Providing For Repealer; Codification; Severability; And An Effective Date. **First Reading**
(City Clerk's Office)

R7 - Resolutions

- R7A A Resolution Pursuant To Miami Beach City Code Section 118-563 To Grant A Certificate Of Appropriateness For The Removal Of Up To Six Existing Australian Pine Trees From The Pine Tree Drive Historic Site. **10:00 a.m. Public Hearing**
(Planning Department)
- R7B A Resolution, Following A Duly Noticed Public Hearing, Granting Of Certificates Of Appropriateness For The Demolition Of The Robert C. Haas Handball Courts And For The Demolition Of A Facility Known As "Friendship Corner" Pursuant To The Miami Beach City Code - Land Development Regulation Section 118-564 (F) (4), Both Facilities Are Located At Flamingo Park, 1200 Meridian Avenue. **10:15 a.m. Public Hearing**
(Capital Improvement Projects)
- R7C A Resolution Approving, Following A Duly Noticed Public Hearing, The City's Planned Use Of Neighborhood Stabilization Program (NSP3) Funding Under Dodd-Frank Wall Street Reform And Consumer Protection Act, In The Amount Of \$1,475,088 For The Redevelopment Of A Vacant Property; Approving A Substantial Amendment To The City's FY 2008-2012 Consolidated Plan And FY 2010-11 Action Plan To Allocate \$1,327,579 Of The NSP3 Funds To The City's Subrecipient, Miami Beach Community Development Corporation, For The Rehabilitation Of Phase 1 Of The London House Apartments Located At 1965 Washington Avenue; Authorizing The City Manager To Sign Any And All Necessary Related Documents; Further Authorizing The Appropriation Of Federal Funds In The Amount Of \$1,475,088. **1:30 p.m. Public Hearing**
(Real Estate, Housing & Community Development)
- R7D A Resolution Approving The City's State Legislative Agenda For The 2011 Session Of The Florida Legislature.
(Economic Development)
- R7E A Resolution Authorizing A Loan In An Aggregate Principal Amount Not To Exceed \$30,000,000 Outstanding At Any Time From JPMorgan Chase Bank, N.A., To Pay Costs Of Capital Projects; Authorizing The Execution And Delivery Of A Loan Agreement And Promissory Notes To Evidence The Obligation Of The City To Repay Such Loan; Providing Security For The Repayment Of The Loan; Authorizing Other Actions In Connection With The Loan And The Financing Program; And Providing For An Effective Date.
(Finance Department)
- R7F A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Contract, Pursuant To Invitation To Bid No. 18-09/10, Right-Of-Way Improvements - Neighborhood No. 8 Central Bayshore (Package A) And Lake Pancoast (Package C), With Lanzo Construction Co., Florida, In The Amount Of \$16,740,740.50, For The Construction Of The Right-Of-Way Improvement Project ("Project"), Plus Approving A Project Contingency, In The Amount Of \$1,674,074.05, For A Grand Total Of \$18,414,814.55; Including \$8,969,714.59 From Funds Previously Appropriated In The Capital Budget; And Further Appropriating \$9,445,099.96 From Fund 429 Stormwater Projects Line Of Credit, With Such Funds To Be Repaid From Proposed Future Storm Water Bonds; And Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project.
(Capital Improvement Projects/Procurement)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.
(City Clerk's Office)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C The Committee Of The Whole Will Meet During Lunch Recess Of The January 19, 2011 City Commission Meeting At The City Manager's Office Large Conference Room To Discuss Security Issues.
(Requested by Commissioner Jorge Exposito)
- R9D Discussion Regarding The Status And Progress Of The Stormwater Master Plan Being Conducted By CDM With A Request For CDM To Attend The Commission Meeting.
(Requested by Commissioner Jonah Wolfson)
- R9E Discussion Regarding A Parking Solution.
(Requested by Commissioner Jerry Libbin)
- R9F Discussion Regarding An Update On Short Term Rentals.
(Requested by Commissioner Jorge Exposito)
- R9G Discussion Regarding The Timing Of Final Adopted Budget Delivery And How We Monitor Spending And Budget Until The Final Adopted Budget Is Delivered.
(Requested by Commissioner Deede Weithorn)
- R9H Discussion Regarding The Bike Sharing Program.
(Requested by Commissioner Edward L. Tobin)
- R9I Discussion Regarding An Ordinance Amending Article III, Division 28 Of The City Code, Entitled "Capital Improvement Projects Oversight Committee;" Amending Section 2-190.127, Entitled "Establishment; Purpose; Membership," By Adding A Non-Voting Ex-Officio Member Who Is Either A Member Of The Disabled Community Or Has Special Knowledge Of Americans With Disabilities Act (ADA) Issues; And Providing For Codification; Repealer; Severability; And An Effective Date.
(Requested by Mayor Matti Herrera Bower)
- R9J Discussion Regarding The Dolphins Efforts To Seek Public Dollars By Unilaterally Linking Themselves With Miami Beach And Directing Our Lobbying Team To Oppose Dolphin's Owner Stephen Ross's Attempt To Obtain A Government Subsidy.
(Requested by Commissioner Jonah Wolfson)

R9 - New Business and Commission Requests (Continued)

- R9K Discussion Regarding An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, "Administration," Article II, "City Commission," By Enacting A New Section 2-12, "Meeting Agendas," Requiring Proposed Legislation Or Ordinances That Appear On A City Commission Or Commission Committee Agenda To Have A Commissioner Sponsor Identified; Providing For Repealer; Codification; Severability; And An Effective Date.
(Requested by Commissioner Jonah Wolfson)
- R9L Discussion Regarding Project Medishare's "Day After The Quake" Documentary And Request For The City To Co-Sponsor The Event By Allowing The Use Of The Colony Theatre.
(Requested by Commissioner Edward L. Tobin)

Reports and Informational Items

Reports and Informational Items (see LTC #008-2011)

End of Regular Agenda